

REMARKS

Upon entry of the present amendment, claims 18, 20, 21, 24-26, 30, 31, 33-35, 37-47 and 53 are pending in the above-referenced patent application and are currently under examination. Reconsideration of the application is respectfully requested.

I. OBVIOUSNESS OVER PENNELL (WO03/105853)

Claims 18, 20, 21, 24-26, 30, 31, 33-35, 37-47 and 53 have been rejected under 35 USC § 103(a) as allegedly being obvious over Pennell (WO03/105853). Applicants respectfully traverse the rejection in view of the comments below.

Applicants note that the instant application and Pennell (WO03/105853) were, at the time the invention of the instant application was made, owned by ChemoCentryx, Inc. Thus, under 35 U.S.C. § 103(c), the invention of the instant application is not obvious over Pennell because the invention of the instant application and Pennell were commonly owned at the time the invention of the instant application was made. Accordingly, Applicants respectfully request that this aspect of the rejection be withdrawn.

II. OBVIOUSNESS-TYPE DOUBLE PATENTING

Claims 18, 20, 21, 24-26, 30, 31, 33-35, 37-47 and 53 have been provisionally rejected on the ground of nonstatutory obviousness-type double patenting over copending Application No. 12/432,536. Applicants note that Terminal Disclaimer is filed herewith over the '536 application. Accordingly, Applicants respectfully request that this aspect of the rejection be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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Attachments
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